

PENDING CLAIMS AS AMENDED

Please amend the claims as follows:

1. (Previously Presented) A CDMA cellular telecommunications messaging system, comprising:

a message generator in a mobile switching center for generating an IS-634 message signal, said message signal for transmission to a base station for triggering said base station to transmit a subsequent message signal to a mobile station; and

a message receiver in said base station for receiving said message signal;

wherein said message signal is generated upon detection by said mobile switching center of a condition whereby a mobile subscriber attempts to originate a call while another party is attempting to call the mobile subscriber;

wherein said condition is detected when said mobile switching center receives a message indicative of a mobile station originated call and a message indicative of said mobile station terminated call in quick succession; and

wherein said message signal is generated in response to the receipt of a Release Message by said mobile switching center, said Release Message having been generated by a network servicing a party which is to terminate its connection with said mobile station, said party being one of two parties communicating with said mobile station in a call waiting procedure.

2. (Cancelled)

3. (Previously Presented) The messaging system of claim 1 wherein said message indicative of said mobile station originated call is a Service Request Message and said message indicative of said mobile station terminated call is a Paging Response Message.

4. (Original) The messaging system of claim 1 wherein said message signal is an Alert With Information Message signal and said subsequent message signal is an Alert With Information Message signal.

5. (Original) The messaging system of claim 3 wherein said message signal is an Alert With Information Message signal and said subsequent message signal is an Alert With Information Message signal.

6. (Previously Presented) A CDMA cellular communication system, comprising:

- a mobile station;
- a base station in communication with said mobile station via an Air-Interface, said base station defining a first cellular coverage area;
- a mobile switching center in communication with said base station via an IS-634 A-Interface;
- a message generator at said mobile switching center for generating a message signal for transmission to said base station on said A-Interface;
- a message receiver at said base station for receiving said message signal, wherein upon receipt of said message signal, said base station transmits a subsequent message signal to said mobile station on said Air-Interface;
- a first party in a first network;
- a second party in a second network, said first and second parties being in communication with said mobile station in a call waiting procedure, wherein said second network generates a Release Message indicative of the termination of communication of said second party with said mobile station, said Release Message being transmitted to said mobile switching center to cause said mobile switching center to generate said message signal;
- wherein said message generator generates said message signal when said mobile switching center detects a condition whereby a mobile subscriber attempts to originate a call while another party is attempting to call the mobile subscriber.

7. (Original) The cellular communication system of claim 6 wherein said message signal is an Alert With Information Message signal and said subsequent message signal is an Alert With Information Message signal.

8. (Previously Presented) The cellular communication system of claim 6 wherein said condition is detected when said mobile switching center receives a message indicative of said mobile station originated call and a message indicative of said mobile station terminated call in quick succession.

9. (Previously Presented) The cellular communication system of claim 8 wherein said message indicative of mobile station originated call is a Service Request Message and said message indicative of said mobile station terminated call is a Paging Response Message.

10. (Original) The cellular communication system of claim 9 wherein said message signal is an Alert With Information Message signal and said subsequent message signal is an Alert With Information Message signal.

11. (Currently Amended) In a CDMA wireless communication system, a method for messaging between a mobile switching center and a base station, comprising:

detecting the occurrence of a condition whereby a mobile subscriber attempts to originate a call while another party is attempting to call the mobile subscriber;

generating a message signal in said mobile switching center based on a positive result of said detecting; [[and]]

transmitting said message signal to said base station on an IS-634 A-Interface, wherein upon receipt of said message signal, said base station transmits a subsequent message signal to a mobile station on an Air-Interface;

establishing communication between a first party and said mobile station via said mobile switching center and said base station;

establishing communication between a second party and said mobile station via said mobile switching center and said base station while putting said first party on hold; and

generating a Release Message in a network servicing said second party to indicate that the second party is terminating communication with said mobile station, said Release Message transmitted to said mobile switching center, wherein said message signal is generated responsive to receipt of said Release Message by said mobile switching center.

12. (Previously Presented) The method of claim 11 wherein said detecting comprises:
determining if a message indicative of said mobile station originated call is received at said mobile switching center; and
determining if a message indicative of said mobile station terminated call is received at said mobile switching center.

13. (Previously Presented) The method of claim 12 wherein said message indicative of a mobile station originated call is a Service Request Message and said message indicative of said mobile station terminated call is a Paging Response Message.

14. (Original) The method of claim 13 wherein said message signal is an Alert With Information Message signal and said subsequent message signal is an Alert With Information Message signal.

15 – 17. (Cancelled)

18. (New) An apparatus of a CDMA wireless communication system, comprising:
means for detecting an occurrence of a mobile subscriber attempting to originate a call while another party is attempting to call the mobile subscriber;
means for generating a message signal in a mobile switching center based on a positive result of said detecting;
means for transmitting said message signal to a base station on an IS-634 A-Interface, wherein upon receipt of said message signal, said base station transmits a subsequent message signal to a mobile station on an Air-Interface;

means for establishing communication between a first party and said mobile station via said mobile switching center and said base station;

means for establishing communication between a second party and said mobile station via said mobile switching center and said base station while putting said first party on hold; and

means for generating a Release Message in a network servicing said second party to indicate that the second party is terminating communication with said mobile station, said Release Message transmitted to said mobile switching center, wherein said message signal is generated responsive to receipt of said Release Message by said mobile switching center.

19. (New) The apparatus of claim 18 wherein said means for detecting comprises:

means for determining if a message indicative of said mobile station originated call is received at said mobile switching center; and

means for determining if a message indicative of said mobile station terminated call is received at said mobile switching center.

20. (New) The apparatus of claim 19 wherein said message indicative of a mobile station originated call is a Service Request Message and said message indicative of said mobile station terminated call is a Paging Response Message.

21. (New) The apparatus of claim 20 wherein said message signal is an Alert With Information Message signal and said subsequent message signal is an Alert With Information Message signal.